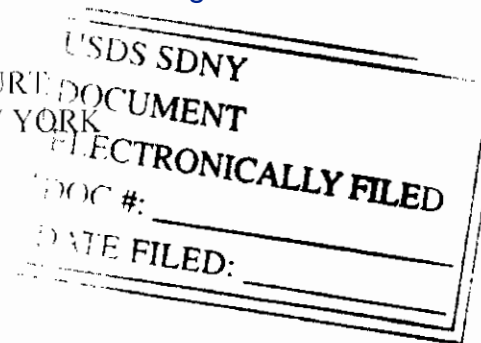


THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK



GENERAL CAPITAL PARTNERS, LLC.

Plaintiff,

v.

LIBERTY RIDGE, LLC (f/k/a AMERICAN
HERITAGE COMMUNITIES/LIBERTY
VILLAGE, LLC)

Defendant/ Third-Party
Plaintiff.

v.

LIBERTY HERITAGE ASSOCIATES, INC.

Third-Party Defendant.

) CIVIL ACTION

) FILE NO. 1:07-CV-4089 (RJS)(DPE)

) AGREED ORDER OF DISMISSAL.

Pursuant to Federal Rule of Civil Procedure Rule 41(a)(1) and (2), the undersigned agree that Defendant and Third-Party Plaintiff, Liberty Ridge, LLC ("Liberty Ridge") hereby voluntarily discontinues the above captioned third party action and dismisses with prejudice its claims against Third Party Defendant Liberty Heritage Associates, Inc. ("LHA"), with each party to bear its own attorneys' fees and costs.

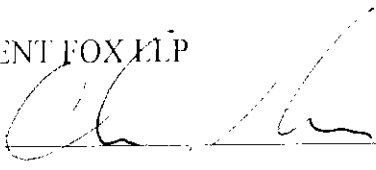
BLEAKLEY PLATT & SCHMIDT LLP

By: Matthew G. Parisi (MP 2188)
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One North Lexington Avenue
White Plains, NY 10601

MCELROY, DEUTSCH, MULVANEY &
CARPENTER, LLP

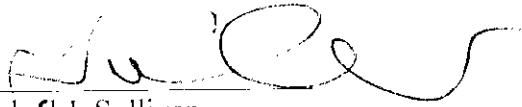
By: John P. Leonard
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1300 Mt. Kemble Avenue, Box 2075
Morristown, NJ 07962-2075

ARENT FOX LLP


By: Christopher J. Giaino
Counsel for First Plaintiff
1050 Connecticut Ave. NW
Washington, D.C. 20036

SO ORDERED:

4/7/08


Hon. Richard J. Sullivan
United States District Court